

INTERAGENCY TASK FORCE ON INVASIVE AQUATIC PLANTS AND NUISANCE SPECIES
Meeting Minutes, Thursday, November 12, 2009
Bolton Hill Facility, Augusta, Maine

Introductions and Action Items from Previous Meeting

After introductions, John McPhedran said that new members are needed to fill vacancies previously held by Rob Brown, Gary Cobb, and Michael Crooker. McPhedran apologized for providing the minutes of the April 2009 meeting so late and suggested that the Task Force revisit Action Items from the last meeting, in addition to carryover items from previous meetings, and decide whether and how to continue moving forward with the particular item. Following are updates on those action items.

Special Assessment Districts for funding invasive species work

George Powell summarized his research into a mechanism for establishing assessment districts for lakes dealing with invasive plant infestations. Powell recommended that potential legislative changes would be permissive (not mandatory); each locality would determine if they want such an assessment district. Powell added that such assessment districts may address other issues in addition to managing invasive plant infestations.

Scott Lowell said that members of the Little Sebago Lake Association at their annual meeting expressed support in establishing this type of district. Regarding Scott William's question about potential next steps for the Task Force, State Legislator Jane Eberle (in the audience) said that cloture for the emergency session had passed. Any legislation for enabling special assessment districts to deal with invasive plants would likely wait until the 125th Legislature (2011). Representative Eberle offered to assist if she could be of help.

Action: McPhedran will talk to Land and Water Resources Council (LWRC) for guidance on how and when to bring this to the LWRC. McPhedran will relay the information to Powell who will write a summary of issue and recommended action for LWRC.

Criteria for listing aquatic plants as invasive

Roy Bouchard (DEP staff) explained that the criteria incorporate work done by a Dept of Agriculture-led group that developed criteria for listing wetland and terrestrial plants. Bouchard said the next step is to follow the process laid out in the criteria and see how it plays out.

In response to Pixie Williams' (in audience) question whether the criteria address wetland and riparian species, Bouchard said that from the start of the DEP's Invasive Aquatic Plants Program the Task Force has directed DEP to focus work on true aquatics; this holds true for the listing criteria. Pixie Williams commented that town conservation commissions need good information (e.g., handouts) on control of other invasive species (esp. wetland plants).

Dan Buckley's question whether the invasive alga didymo (*Didymosphenia geminata*) has been listed as invasive by the DEP – it hasn't – led to discussion of the consequences of listing. In response to Scott Williams' question what would happen if didymo were discovered today, McPhedran described DEP's likely response to confirm the identification, notify anglers/residents/municipalities, and reiterate measures to prevent spread. He added that there is likely little that can be done to control an

infestation, but that's true whether or not the alga is listed as invasive. Joe Dembeck (DIFW staff) said there is already considerable outreach underway without the plant being listed.

McPhedran took the opportunity to update the Task Force on Fly Fishing in Maine's three pilot didymo wash stations in summer 2009 (Presumpscot River, Middle Dam, Lower Dam), and showed Trout Unlimited's "personal wash station" that was distributed last summer.

Action: In response to Buckley's request, DEP staff will put didymo through the listing criteria to see how it comes out (Buckley feels didymo should be listed). He's willing to meet with DEP to discuss the process if that would help.

Action: In response to a question from Scott Williams, DEP staff will articulate in writing what it means for a species to be listed as an invasive plant.

Commercial harvesting of nuisance fish

Ed Courtenay summarized the objective, i.e., to create a system that pays for itself (the harvested fish would likely be sold as lobster bait). Dembeck explained that DIFW hasn't made headway due to issues related to permitting and oversight (to ensure biosecurity, prevent bycatch). DIFW staff will meet in winter to move this along.

Central list of invaders

The Task Force and public in the audience again discussed the merits and challenges of developing a central invasive species website for Maine with links to taxa-specific sites. The prevailing view was that there is value in a central site with links.

Action: Ann Gibbs will work with Paul Gregory (DEP staff) to continue exploring the possibility of a central website for invasive species.

Action Plan review/update

McPhedran said that no further work has been done on the State Action Plan review since the last meeting.

Letter to Land and Water Resources Council about didymo

The Task Force revisited the idea, first discussed at the April 2009 meeting, to send a letter to the Land and Water Resources Council (LWRC) expressing TF concern with the alga didymo and informing the LWRC that the TF will incorporate didymo into the state Action Plan. The Task Force still wants to move forward with this.

Action: Buckley will draft the letter and work with McPhedran to refine. The letter will then be distributed to TF for review and approval before submittal to LWRC. In addition to what was discussed at the April meeting, the letter will explain the Task Force's request of DEP staff to determine if didymo merits listing as invasive.

Next legislative session

This item was taken out of order since Representative Eberle, who was in attendance to brief the Task Force on two bills, had to leave the meeting early. Rep. Eberle serves on the Inland Fisheries and Wildlife and Natural Resources Committees. She has introduced two bills. One would ban fishing tournaments on infested lakes and the other would ban water withdrawals on infested lakes (there would be an exemption for fire fighting). Rep. Eberle said she doesn't have a specific axe to grind regarding the end result of these bills; she wants more done to deal with invasive aquatic plants.

Mike Fitzpatrick (audience) of Lake Arrowhead Conservation Council (LACC) said the LACC ran a fishing tournament in 2009 to raise money to help them control the variable milfoil growth in Arrowhead. There was further discussion of requiring that fishing tournaments inspect their watercraft.

Agency Updates

Department of Conservation

George Powell reported that the Maine Natural Areas Program (MNAP) received a Maine Outdoor Heritage Grant to conduct outreach on invasive plants. MNAP has also received information requests about invasive plants especially with respect to control measures.

Department of Inland Fisheries and Wildlife

Joe Dembeck reported for DIFW. DIFW has redesigned their fishery reclamation program, which has been in place since the 1970s, so that each regional office will have a staff member with a pesticide applicator license. The revamping includes purchasing new pumps and learning from programs in other parts of the U.S. The program is coordinated by Jason Seiders.

DIFW's reclamation projects for 2010 will include Big Reed Pond (DIFW has a successful arctic char egg take this year), C Pond (smallmouth bass moved up from Umbagog Lake), and Little Concord Pond (brook trout fishery).

New invasions include the Long Pond (Belgrades) walleye and northern pike in North Pond, Woodstock. Both appear to be illegal stocking, in the case of Long Pond a *second* stocking event. There is excellent northern pike habitat in North Pond.

Adam Gormely of the Warden Service reported that wardens logged 7,300 hour in boats in 2009, issued 16 summonses and 84 warnings for not displaying a non-resident lake and river protection sticker and 150 tickets and 300 warnings for unregistered (Maine) boats. The Service heard complaints that boaters traveling in areas marked with yellow milfoil warning buoys resulted in fragmenting plants. Gormely commented that while enforcement is important, education and outreach will result in voluntary compliance and long-term success of the program. He added that he sees lake associations putting extraordinary effort into invasives prevention and control.

Department of Environmental Protection

McPhedran used a slide presentation to highlight the Department's 2009 efforts on Salmon Lake including early to mid-summer dives to remove Eurasian water milfoil, the decision to apply herbicide treatment to knock-back the population, public meetings, plant monitoring prior to treatment, herbicide concentration monitoring post treatment, and prevention measures to reduce risk of spread with the

Belgrades and to other lakes. He then described DEP response to the Damariscotta Lake hydrilla discovery in September 2009 including fragment barriers to reduce risk of spread from the infested area, placement of benthic barriers to smother hydrilla, and removal by hand from the heavily-infested cove in the lake.

McPhedran explained that DEP continues to apply herbicide to the hydrilla population in 50-acre Pickerel Pond (Limerick) annually in an effort to eliminate the tubers from the lake sediments. Pleasant Hill Pond (Scarborough) was treated again this year to control the Eurasian water milfoil infestation in that waterbody.

The merger of the Lake and River Protection Sticker and the watercraft registration increased revenue to DEP in 2008 by about \$50,000 over the 2002-2007 average. The 2009 revenue numbers aren't final but it's likely that DEP will see about the same amount (\$690,000 total) that was received in 2008. But with ever-increasing costs of doing business, the potential for additional infestations that will require DEP response (as seen with Salmon Lake in 2008 and 2009, and Damariscotta in 2009), and no further increase in revenue likely, the DEP needs to determine how they will manage current and future prevention, early detection, and management efforts across the state.

There was considerable discussion re funding and program priorities for DEP. Regarding funding, Buckley wondered if pending legislation would bring back the idea of a user fee for paddle craft. He added that the state may need to consider requiring inspections to launch and remove boats on Salmon and Damariscotta to prevent these new infestations from spreading. Courtenay said that approach is Draconian but Buckley felt that it may be necessary in cases of severe risk of spread. Dembeck said private access points must also be considered and added that fish stocking programs are tied to providing adequate public access.

Lowell said that restricting access is less expensive in the long run than dealing with multiple new infestations and that the boating doesn't necessarily need access to lakes with dense infestations. Fitzpatrick said that there is 12 hr/day inspections at the Ledgemere Dam ramp on Lake Arrowhead. In response to Powell's question about plant export from the Salmon Lake ramp, Karen Hahnel (DEP staff) said that no plants were found on boats leaving Salmon Lake public ramp in 2008 or 2009. Courtenay commented that we can't restrict use of public waters. Buckley said we're only on the bottom of the infestation curve. Dembeck added that any restrictions on access must include private landowners as well as public sites.

Bouchard used Salmon Lake as an example to show that access restriction needs to make sense in the specific situation. If the infestation in Salmon Lake were widespread, he may have recommended limiting access. But with the current scope of infestation DEP determined that risk of plant transport from that ramp was acceptable (i.e., low) without restricted use. Fitzpatrick said hotspots of plant export must be addressed and suggested that more stringent control is needed at the Lake Arrowhead/Ledgemere Dam access point due to the high percentage of boats leaving the lake with variable milfoil fragments.

The discussion continued on the general topic of DEP's ability to respond to infestations with current resources and whether there are other strategies for reducing the risk of spread given the resources.

Gibbs wondered how many infestations DEP can handle. Williams said he doesn't want to ask "What could/should we have done?" 10 years from now when many more lakes are infested.

Fitzpatrick asked if DEP's position on herbicide use had changed given that the DEP has now treated three lakes. McPhedran said that it hadn't but that the issue would continue to be discussed and considered by DEP along with lake associations. Mary Jane Dillingham wondered if ramp inspections could be increased while leaving ramps open. She is concerned about increasing use of herbicides. Terry Trott said that we should look to lake associations to help prevent spread between waters rather than moving to herbicide use. She added that restricting use of certain areas is a part of prevention.

Ann Gibbs closed the agenda update discussion with a summary of the October meeting of Maine Invasive Species Network. There is no clear direction of this group at the moment but there seemed to be value in bringing people together who are working on invasive species in Maine. One idea that came out of the October meeting (from Roberta Hill) was that there would be an annual cross-taxa meeting to hear updates from others in the state working on invasives.

Action: Buckley's letter, initially meant to highlight didymo, will be broadened to stress overall concern of Task Force w/re to spread of invasives and response challenge for agencies with current resources.

Update: Federal Earmark for Invasive Plant Control Funding – Scott Lowell

Lowell described the milfoil consortium and the process they've pursued to get a \$500,000 grant for from USFWS for variable water milfoil control work in Maine. It took considerable effort from members of the consortium. Of this grant, \$190,000 goes to St. Joseph's College for a water lab and \$310,000 goes to groups for in-lake removal efforts on seven test bed lakes (\$40,000 grant maximum per lake). Letters of intent, including management goals, are due from lake representatives by November 20. By early December the steering committee will select lakes for further consideration and representatives from these lakes will be invited to a meeting in December. Funding decisions will be made by March 1, 2010.

Dillingham asked if DEP will reduce the amount of DEP grants to the test bed lakes since they are already receiving funding from the earmark and so there are more funds for the non-test bed lakes. McPhedran said DEP had yet to consider how the consortium's funding affects DEP plant control grants.

Next Meeting: Thursday, April 15, 2010

Public Comment: Becky Linney feels that the general public doesn't hear what the Task Force is talking about; the information gets lost.

Carryover or ongoing action items from previous meetings

Action: Agencies to send brief update of activities to John McPhedran for distribution prior to TF members prior to the meeting.

Action: Task Force to consider idea of voluntary sticker.

Minutes prepared by John McPhedran and sent for Task Force review 12/2/09 until 12/11/09. No revisions from Task Force members. Final minutes submitted by John McPhedran, 12/15/09.